

Message Text

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ACTION EB-07

INFO OCT-01 CIAE-00 COME-00 DODE-00 NSAE-00 USIE-00
TRSE-00 EUR-12 ERDA-05 ISO-00 ERDE-00 SSO-00 SS-15
PM-04 INR-07 EA-07 INRE-00 L-03 /061 W
-----051731Z 019832 /41

O 051730Z MAY 77

FM USMISSION OECD PARIS

TO SECSTATE WASH DC IMMEDIATE 6479

C O N F I D E N T I A L SECTION 01 OF 02 OECD PARIS 13338

EXCON

E.O. 11652: XGDS1

TAGS: ESTC, COCOM

SUBJ: ORGANIZATION OF LIST REVIEWS

REFS: A) COCOM DOCS. PROC (76) 8 TO 8.9, B) STATE 39771,
C) OECD PARIS 4574, D) ROOT-TOWNSEND TELCON 5/2,
E) STATE L0L562

1. AFTER REVIEW OF UK AND US PROPOSALS AND PERTINENT INSTRUCTIONS USDEL CONCLUDES THAT FOR EFFECTIVE NEGOTIATION HE STILL REQUIRES ON THE FOLLOWING POINTS EITHER CLARIFICATION, DISCRETIONARY AUTHORITY OR OTHER APPROPRIATE GUIDANCE.

2. SUBMISSION OF COUNTER-PROPOSALS. REQUEST DISCRETION TO AGREE TO DEADLINE OF 30 DAYS PRIOR TO OPENING OF REVIEW, AS IN UK PROPOSAL. IF REVIEW OPEN IN MID-OCTOBER, AS IN 1974, 45-DAYS WOULD REQUIRE SUBMISSION IN EARLY SEPTEMBER. SINCE OFFICIALS OF MOST MEMBER COUNTRIES WILL ONLY HAVE RETURNED FROM VACATION END-AUGUST OR EARLY SEPTEMBER, 45 DAYS SEEMS IMPRACTICAL.

3. REVISED PROPOSALS. TERM NEEDS CLARIFICATION. CAN
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THEY BE SUBMITTED, IN US VIEW, BY ANY DELEGATION? OR ONLY BY DELEGATIONS WHICH HAVE ALREADY SUBMITTED PROPOSALS OR COUNTER-PROPOSALS? IF THEY CAN BE SUBMITTED BY ANY DELEGATION, WAY MIGHT BE OPEN TO A DELEGATION TO SUBMIT WHAT IS IN REALITY A COUNTERPROPOSAL, NOT MEETING AGREED DEADLINE, BY DESIGNATING IT A "REVISED PROPOSAL". PROVISIO THAT PURPOSE MUST BE TO"ASSIST COMMITTEE TO

REACH AGREEMENT ON THE ITEM" IS NOT HELPFUL, SINCE THAT IS SUPPOSED TO BE PURPOSE OF ANY PROPOSAL OR COUNTER-PROPOSAL.

4. WRITTEN POSITIONS. GERMAN PROPOSAL WOULD REQUIRE THEM. INSTRUCTION IN REF E ONLY "PERMITS" THEM. WAS IT NOT YOUR INTENTION THAT DELEGATIONS SHOULD RPT SHOULD PRESENT WRITTEN COMMENTS AS EARLY AS POSSIBLE? MERELY "PERMITTING" THEM TO DO SO WOULD ACCOMPLISH NOTHING NEW SINCE THEY HAVE THAT RIGHT ANYWAY. PLEASE CLARIFY.

5. PROPOSALS FOR CONSISTENCY. WOULD THESE CONSIST MERELY OF MINOR TECHNICAL MODIFICATIONS?

6. ITEMS NOT ON AGENDA, AFFECTED BY A TABLED PROPOSAL. SEE UK PROPOSAL, PARAGRAPH II(H). ASSUME THIS WOULD POSE NO PROBLEM FOR US, AND REQUEST AUTHORITY TO ACCEPT.

7. ESTABLISHMENT OF AGENDA. REQUEST AUTHORITY TO AGREE TO 2 WEEKS BEFORE OPENING (AS IN UK PROPOSAL), INSTEAD OF 3. DIFFERENCE SEEMS MINOR.

8. INTERVAL BETWEEN ROUNDS. THIS MAY BE MOST CLOSELY DEBATED QUESTION. DEL FORESEES THAT OTHER DELS WILL VIGOROUSLY OPPOSE INTERVAL OF FIVE TO SIX MONTHS FAVORED BY US. PROBABLY IT WILL BE DIFFICULT TO PERSUADE THEM TO GO BEYOND FOUR AT MOST. CALENDAR DIFFICULTIES WERE POINTED OUT IN REF C. REF B RECALLS THAT REVISED PROPOSALS MAY BE SUBMITTED UP TO ONE MONTH BEFORE OPENING OF ROUND II. UK PROPOSAL ALSO ALLOWS COUNTERPROPOS-
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ALS TO BE SUBMITTED DURING LIST REVIEW UNDER CERTAIN CONDITIONS, BUT NEITHER UK NOR, APPARENTLY, OTHER DELS, FEEL IT NECESSARY TO ENLARGE THE INTERVAL BETWEEN ROUNDS ON THIS ACCOUNT. EVEN SUMMER VACATION SHOULD NOT JUSTIFY PROLONGING IT BEYOND FIVE MONTHS, ASSUMING ROUND I ENDS IN MID-JUNE. USDEL BELIEVES MAXIMUM INTERVAL SHOULD BE FIVE MONTHS, AND REQUESTS DISCRETION TO AGREE TO "AT LEAST FOUR MONTHS BUT NOT MORE THAN FIVE MONTHS".

9. TECHNICAL WORKING GROUPS.

A) GERMANS SUGGEST TWG REPORTS BE SUBMITTED AT LEAST ONE MONTH BEFORE BEGINNING OF ROUND II. REF E IS CLEAR ON THIS POINT.

B) JAPANESE SUGGEST COMMITTEE ESTABLISH IN ADVANCE OF ROUND I (INSTEAD OF AT BEGINNING) ITEMS TO BE CONSIDERED

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O 051730Z MAY 77
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TO SECSTATE WASH DC IMMEDIATE 6480

C O N F I D E N T I A L SECTION 02 OF 02 OECD PARIS 13338

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BY TWG'S, AT SAME TIME AS IT ESTABLISHES ORDER IN WHICH
THEY ARE TO BE CONSIDERED. IDEA SEEMS SOUND AND DEL
RECOMMENDS ACCEPTANCE.

10. RATIFICATION AND ENTRY INTO FORCE. UK PROPOSAL LIM-
ITS TO A MAXIMUM OF 60 DAYS THE PERIOD BETWEEN ISSUANCE
OF DRAFT LIST OF AGREED REVISED DEFINITIONS AND ENTRY
INTO FORCE OF FINAL DOCUMENT. US PROPOSAL SETS NO TIME
LIMIT, SINCE IT PROVIDES THAT ITEMS ON DRAFT LIST TO
WHICH OBJECTION IS RAISED SHALL BE RECONSIDERED BY RE-
VIEW GROUP OR THE COMMITTEE. QUESTION: SHOULD THERE
NOT BE A TIME LIMIT OF PERHAPS 80 DAYS ON ENTIRE PROCESS
OF RATIFICATION AND ENTRY INTO FORCE, ALLOWING 45 DAYS
FOR APPROVAL OF DRAFT AND 30 DAYS FOR ENTRY INTO FORCE?

11. ATTENDANCE OF EXPERTS. STATEMENT IN PARA 3 OF REF B
HAS BEEN NOTED. IT LEAVES OPEN THE POSSIBILITY THAT AT
THE END OF A ROUND, USDEL WILL BE WITHOUT EXPERTS IN DIS-
CUSSION OF RESCHEDULED ITEMS OR "REVISED PROPOSALS".
THIS WAS AN EMBARRASSING HANDICAP IN MORE THAN ONE IN-
STANCE DURING FINAL PHASES OF L974 LIST REVIEW. USDEL
WOULD LIKE INSTRUCTIONS TO ASSURE THE COMMITTEE THAT,
IF SUCH A SITUATION SHOULD RECUR IN THE NEXT ONE, OUR
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DELEGATION WILL BE EQUIPPED WITH FULLEST POSSIBLE WRIT-
TEN TECHNICAL JUSTIFICATION AND SUPPORTING MATERIAL FOR
ANY US POSITION OR PROPOSAL.

12. REQUEST INSTRUCTIONS ON THE FOREGOING POINTS NOT
LATER THAN FRIDAY MAY 13.
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Message Attributes

Automatic Decaptioning: X
Capture Date: 01-Jan-1994 12:00:00 am
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: POLICIES, INSTRUCTIONS, STRATEGIC TRADE CONTROLS, EXPORT LICENSES, EXCEPTIONS LIST
Control Number: n/a
Copy: SINGLE
Sent Date: 05-May-1977 12:00:00 am
Decaption Date: 01-Jan-1960 12:00:00 am
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 22 May 2009
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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TAGS: ESTC, US, COCOM
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